

7.21 I have had to increase my bandwidth capacity from less than 10GB/month to 500GB/month in the past 2 years.

7.22 All of the 200+ reciprocal links I hosted on my web sites between 1996-2003 have been lost due to lack of maintenance of my web site resulting from the above-described burden of dealing with the spam problem.

Facts Specifically Related to Defendants.

8. Attached hereto as **Exhibit "D"** is a copy of the first email received from BMG.
9. **Exhibit "E"** is the return receipt from a letter that I sent to defendant in 2005, which requested that it stop sending me email to me.
10. **Exhibit "F"** is a true and correct copy of the cease and desist letter that I sent to defendant via US Mail dated May 25, 2005.
11. Attached hereto as **Exhibit "G"** are copies of a regulatory complaints that I filed against BMG/Columbia House.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

EXECUTED this 14th day of June, 2007


James S. Gordon, Jr.

Certificate of Service

I, hereby, certify that on June 14, 2007, I filed this affidavit with this Court via approved electronic filing, and served the following:

FIRST AMENDED COMPLAINT FOR DAMAGES,
PENALTIES, ETC. -7
OMNI v. BMG-COLUMBIA HOUSE

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